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MAY 24 2010

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

MAY 24 2010

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY CLERK

ROBERT J. KLEBE

Plaintiff,

v.

UNIVERSITY OF TEXAS HEALTH
SCIENCE CENTER AT SAN ANTONIO

Defendant.

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CIVIL ACTION NO. 1:08-CV-0091-AWA

PLAINTIFF'S NOTICE OF CROSS-APPEAL

Defendant filed a Notice of Appeal on May 12, 2010, giving notice of his intent to appeal the Final Judgment signed by the United States District Court for the Western District of Texas, Austin Division on December 23, 2009. Plaintiff hereby states his intent to challenge on appeal any ruling adverse to Plaintiff that is contained in or subsumed by the Final Judgment, including, but not limited to the district court's ruling on defendant's motion for summary judgment [Dct. 71], the district court's ruling on Plaintiff's attorney fee application [Dct. 227 and 228], or any other matter that is material to any issue raised or relief sought by Defendant on appeal.

Respectfully submitted,

JUDGE, KOSTURA & PUTMAN, P.C.
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By: _____

John Judge
State Bar No. 11044500
Federal Bar No. 81191

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of May, 2010, a copy of the foregoing document was sent via facsimile to the following:

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John Judge

DUPLICATE

Court Name: TEXAS WESTERN
Division: 1
Receipt Number: 100006522
Cashier ID: tkatzen
Transaction Date: 05/24/2010
Payer Name: JUDGE KOSTURA PUTMAN PC

NOTICE OF APPEAL/DOCKETING FEE
For: ROBERT KLEBE
Amount: \$455.00

CHECK
Check/Money Order Num: 5407
Amt Tendered: \$455.00

Total Due: \$455.00
Total Tendered: \$455.00
Change Amt: \$0.00

1:08CV091; KLEBE v. UNIVERSITY OF
TEXAS HEALTH SCIENCE CENTER; CROSS
APPEAL ON BEHALF OF PLAINTIFF